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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

12 JESUS FELIX GARCIA,) No. 2:22-cv-1683 DB
13 Plaintiff,)
14) **STIPULATION TO VOLUNTARY**
15 v.) **REMAND PURSUANT TO SENTENCE**
16) **FOUR OF 42 U.S.C. § 405(g) AND TO**
17 COMMISSIONER OF SOCIAL SECURITY,) **ENTRY OF JUDGMENT; AND ORDER**
Defendant.)

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19 IT IS STIPULATED by and between Plaintiff, Jesus Felix Garcia (“Plaintiff”), and
20 Defendant Commissioner of Social Security (“Defendant”), through their undersigned counsel
21 of record, that the above-entitled action shall be remanded to the Commissioner of Social
22 Security for further administrative proceedings.

23 Upon remand, the Appeals Council will remand the case to an Administrative Law
24 Judge (ALJ) for a new decision. The parties further request that the Court direct the Clerk of the
25 Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final
26 decision of the Commissioner.
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1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
2 Social Security Act, 42 U.S.C. 405(g).

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4 Dated: April 28, 2023

/s/ Francesco P. Benavides

FRANCESCO P. BENAVIDES

Attorney for Plaintiff

*Authorized via e-mail on April 28, 2023

PHILLIP A. TALBERT

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MATHEW W. PILE

Associate General Counsel

Social Security Administration

By: /s/ Timothy A. Razel

TIMOTHY A. RAZEL

Special Assistant United States Attorney

Attorneys for Defendant

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17 **ORDER**

18 Pursuant to the parties' Stipulation; IT IS HEREBY ORDERED that:

19 1. This matter is remanded to the Commissioner of Social Security for further
20 proceedings pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42
21 U.S.C. 405(g);

22 2. The Clerk of the Court shall enter a final judgment in favor of Plaintiff, and against
23 Defendant, reversing the final decision of the Commissioner; and

24 3. This action is closed.

25
26 DATED: May 1, 2023

/s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE